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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/423,356	01/21/2000	HIDEKI KIRINO	HYAE:093	6645

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PARKHURST & WENDEL  
1421 PRINCE STREET  
SUITE 210  
ALEXANDRIA, VA 22314-2805

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/423,356

Applicant(s)  
Hideki et al.

Examiner  
Naghmeh Mehrpour

Art Unit  
2685



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Oct 4, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 13**, are rejected under 35 U.S.C. 103(a) as being unpatentable over William et al. (US Patent Number 6,259,443 B1) in view of the admitted prior art specification.

Regarding **Claims 1, 13**, Williams teaches a transmission apparatus comprising: a master station 23 transmitting audio by utilizing a **first** minute-power wave (See figure 20, col 14 lines 10-19); a slave station 124 transmitting audio/video by utilizing (col 14 lines 48-59); and a relay station 121, **located** between the master station 123 and slave station 124 **the master 123 and slave station /124 located** apart from each other by a distance longer than the reachable range of a **first** minute-power wave (See figure 203, col 14 lines 10-19); wherein a transmission signal **utilizing a first minute-power wave transmitted** from the master station 23 comprising, in addition to original audio/video information (col 14 lines 10-19, col 15 lines 20-29), **slave station 124 address** (col 15 lines 20-29) information and **master station 123 receiving** information indicating a frequency at which **the master station 123** receives a signal from the relay station 121 (col 6 lines 5-11, col 7 lines 55-61), **said relay station 121 modulates the master station 123 return frequency a demodulated portion of a first minute power wave as a return**

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**signal and for transmitting a return signal (col 14 lines 10-19), thereby establishing a return transmission path between the relay station 121 and the master station 23 the relay station 121 is modulating the frequency of a first minutes power wave received from the master-station 23 to a different frequency as for transmitting the second signal (See figures 20), and the slave station 128 is for transmitting information of the relay station 121 receiving frequency at which the relay station 121 receives a signal from the slave station 128, the slave station 128 is recognizing that transmission signal that is a signal directed to the slave station 121, the slave station 128 is modulating and transmitting a response audio/ video signal information and the relay station 121 frequency, thereby establishing a transmission path between the master station 23 and the slave station 128 (col 15 lines 1-11).**

Williams fails to teach that Slave station 128 transmitting a second minute-power wave, However the admitted prior art teaches a method in which one channel is selected from vacant channels of a television and video is transmitted by utilizing a minute-power wave.(page 4 lines 1-4). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use above teaching of to Williams, in order to have a wireless connection that is in short distance and limited.

3. **Claims 2, 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al.(US Patent 6,259,443 B1) and the admitted prior art in view of Oguro et al. (US Patent Number 6,282,366 B1)

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Regarding **Claims 2, 14**, Williams fails teaches a transmission apparatus wherein: a transmission signal in the forward path from the master station 123 to the slave station 128(col . Williams fails to teach that a PCM audio signal and the information indicating the address of the slave station and the reception frequency specified by the slave-station are superposed on a audio signal during the vertical blanking period of the video signal. The admitted prior art teaches a standard television signal is used as the transmission signal in the forward path from the master station to the slave station (page 4 lines 19-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use above teaching of admitted prior art to Williams, in order to have a wireless connection that is in short distance and limited. The combination of Williams and the admitted prior art fails to teach method of recording of digital audio and video that a PCM audio signal. However Oguro teaches a method of recording of digital audio and video that a PCM audio signal (col 18 lines 39-43) and the information indicating the address of the slave station and the reception frequency specified by the **slave-station** are superposed on a video signal during the vertical blanking period of the video signal (col 3 lines 25-30). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combined Oguro system that superposing audio signals to a vertical blanking period of the video signal with Sizer wireless video system, in order to improve the performance of plurality of wireless video terminals.

4. **Claims 3-12, 14-24** , are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al.(US Patent 5,794,116) in view of Oguro et al. (US Patent Number 6,282,366 B1)

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Regarding **Claims 3**, Matsuda teaches a wireless visual communication system with available frequency detection means for detecting frequencies which can be used for video transmission (col 10 lines 34-37), within the reception band of the RF tuner, in advance of use; detected frequency registration means for registering the detected frequencies, as a communication frequency list (col 10 lines 32-37, col 10 lines 58-67), in both of the transmitter and the receiver; and spread spectrum communication means for spreading the power spectrum by changing the frequency within the range of the communication frequency list, and performing spread spectrum communication (See figure 2, col 9 lines 1-10). Matsuda fails to teach that a transmission apparatus comprising: a transmitter having an RF converter which generates a standard television signal; a receiver having an RF tuner which receives the standard television signal. However Oguro teaches that a transmitter having an RF converter which generates a standard television signal; a receiver having an RF tuner which receives the standard television signal (See figures 27, 40, col 16 lines 16-36, col 18 lines 39-45). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combined Oguro system that having converter with a standard TV signal, and RF tuner that receives the TV signals with Matsuda system which changing frequency within the range of frequency list, in order to improve the performance of the wireless video system.

Regarding **Claims 4, 15-16**, Matsuda does not specifically mention that transmission power control means for automatically changing the transmission power during the communication in accordance with the use frequency band width so as to keep the power density per unit band

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width constant. However since Matsuda's system changing frequency within a frequency rang of the list, and the system operates within the range of frequency band. Due to the movement of the wireless video terminal, when the frequency does not match with the receive frequency the system via package 31 adjust it receives frequency. Therefore the transmission power should adjust automatically during the communication (col 10 lines 48-67). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to use above teaching, in order to provide a wireless video system which performance with no interference.

Regarding **Claims 5, 17**, Matsuda does not mention that a transmission apparatus further comprising frequency changing mean; for changing the frequency during the communication, in synchronization with the synchronous timing of the video signal. However Matsuda teaches a system that changing the frequency and operate accurately. Oguro teaches frequency changing mean; for changing the frequency during the communication, in synchronization with the synchronous timing of the video signal (See figure 40, col 16 lines 16-36). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combined Oguro teaches in synchronization system that changing the frequency during the communication, with Matsuda wireless video system that teaches changing frequency, in order to provide video wireless system which communicate clearly and synchronous in time.

Regarding **Claims 6, 18**, Matsuda teaches a transmission apparatus as described further comprising control signal superposition and transmission means for transmitting a control signal by superposing it on the video signal in the blanking period, during the communication. Matsuda

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fails to teach that a transmission apparatus as described further comprising control signal superposition and transmission means for transmitting a control signal by superposing it on the video signal in the blanking period, during the communication. However Oguro teaches a method of transmitting a control signal by superposing it on the video signal in the blanking period, during the communication (col 3 lines 25-30). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combined Oguro system that superposing audio signals to a vertical blanking period of the video signal with Matsuda wireless video system, in order to reduce the interference in a communication system with plurality of wireless video terminals.

Regarding **Claims 7, 19**, Matsuda teaches a transmission apparatus wherein: a transmission signal in the forward path (col 10 lines 3-6) from the master station 19 to the slave station 17.

Matsuda fails to teach that a PCM audio signal and the information indicating the address of the slave station and the reception frequency specified by the slave-station are superposed on a audio signal during the vertical blanking period of the video signal. However Oguro teaches a method of recording of digital audio and video that a PCM audio signal (col 18 lines 39-43) and the information indicating the address of the slave station and the reception frequency are superposed on a video signal during the vertical blanking period of the video signal (col 3 lines 25-30).

Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combined Oguro system that superposing audio signals to a vertical blanking period of



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the video signal with Matsuda wireless video system, in order to improve the performance of plurality of wireless video terminals.

Regarding **Claims 8, 20**, Matsuda teaches a transmission apparatus comprising: first and second transmission/reception apparatuses each comprising a transmission apparatus wherein frequency changing order control means for controlling the frequency changing order, during the communication, in such a manner that the frequency is changed in one direction, from the higher frequency to the lower frequency or from the lower frequency to the higher frequency, within the range of the communication frequency list, and when the frequency reaches the end of the frequency list, it is returned to the beginning of the frequency list (col 8 lines 29-53); and communication control means for controlling the first and second transmission/reception apparatuses to realize duplex communication, by using a frequency time table in which the first and second transmission/reception apparatuses always use different frequencies (col 9 lines 65-67, col 10 lines 1-10).

Regarding **Claims 9, 21**, Matsuda teaches a transmission apparatus further comprising communication frequency list update means which uses the previously registered communication frequency list when stating the communication, and uses a second communication frequency list obtained by duplicating the registered communication frequency list after the communication has been started, and updates the second communication frequency list as desired by exchanging the result of communication, i.e., whether it is good or bad, between the first and second transmission/reception apparatuses (col 10 lines 57-67).

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Regarding **Claims 10, 22**, Matsuda teaches transmission apparatus further comprising: ID storage means for storing an identification number which is given to the transmission apparatus during manufacture; and ID inquiry and registration means for performing mutual inquiry of IDs with another transmission apparatus which is permitted to have communication in advance of use, and registering the ID (Col 9 lines 27-46).

Regarding **Claims 11, 23**, Matsuda teaches a transmission apparatus further comprising: frequency setting means which always executes the reception mode in advance of the transmission mode to detect the frequency time tables of all other transmission apparatuses which are performing transmission within the game wave area, and performs transmission by using a frequency time table the use frequency of which is always different from those of these other transmission apparatuses (col 8 lines 29-47); and retransmission means for performing retransmission by using a frequency time table different from said frequency time table when a transmission signal from another apparatus which has requested communication cannot be detected even when a predetermined period of time has passed after starting the transmission mode (col 7 lines 34-62). Matsuda does not mention that communication signal from another terminal cannot be detected when a predetermined period has passed. However Matsuda mentioned that due to movement of the wireless video terminal from the zone 18 A the zone 18B, the wireless terminal can not can not receive a signal which is transmitted by the base station for Video data controlling the zone 18A (col 10 lines 29-67). Therefore Matsuda

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inherently teaches that requested communication from other terminals cannot be detected if the predetermined time is passed.

Regarding **Claims 12, 24**, Matsuda teaches a transmission apparatus further comprising output stop means for stopping output of the original information such as audio, when the ID which is permitted to have communication cannot be confirmed in the reception mode (col 13 lines 57-67, col 14 lines 1-29) .

### **Conclusion**

**7. Any responses to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for formal communications indented for entry)

**Or:**

(703) 308-6306, (for informal or draft communications, please label

“PROPOSED” or “DRAFT”)

Hand-delivered responses should be brought to Crystal Park II. 2121 Crystal Drive,  
Arlington. Va., sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Melody Mehrpour whose telephone number is (703) 308-7159. The


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examiner can normally be reached on Monday through Thursday (first week of bi-week) and Monday through Friday (second week of bi-week) from 6:30 a.m. to 5:00 p.m.

If attempt to reach the examiner are unsuccessful the examiner's supervisor, Edward F. Urban can be reached (703)305-4385.

NM

Dec 26, 2002

  
12/23/02  
LESTER G. KINCAID  
PRIMARY EXAMINER